THE HONOURABLE SHRI JUSTICE R.SUBHASH REDDY

WRIT PETITION No. 11940 OF 2006

Dated 8th February, 2007

Between:

Goutham Model Schools,
Srimukh Complex, Himayat Nagar,
Hyderabad.

...
Petitioner
And

The Government of Andhra Pradesh,
represented by its Secretary, School Education
Department, Secretariat, Saifabad,
Hyderabad and others.

...
Respondents

ORAL ORDER:

In this writ petition, the petitioner seeks a declaration that the action of the respondents in not conducting verification for grant of permission to establish a secondary school in the name of 'Goutham Model School' at Nizamabad, Nizamabad District in spite of satisfying the criteria laid down under the A.P.Education Act, 1982 and the rules made thereunder is illegal and arbitrary.

It is submitted by the learned Government Pleader that the petitioner submitted an application dated 31.10.2005 to the Secretary, Education Department on 2.11.2005 seeking relaxation of Rules 5(7) and 8(2) of the rules framed in G.O.ms.No.1, dated 1.1.1994. But, in view of the orders of a Division Bench of this Court in Writ Petition No. 2058 of 2006 dated 28.2.2006, wherein directions were issued not to grant any relaxation, the proposals submitted by the petitioner for relaxation were returned.

As much as the very proposals are returned basing on the orders passed by a Division Bench of this court in W.P.No. 2058 of 2006, it cannot be said that there is any inaction on the part of the respondents on the application submitted by the petitioner. However, it is submitted by the learned counsel for the petitioner that subsequently, they have submitted a representation by complying all the requirements. If that be so, it is open for the respondents to consider afresh, if the criteria as laid

down in the rules framed under A.P.Education Act, 1982 is complied with, and pass appropriate orders.

Subject to above observation, the writ petition is disposed of. No costs.

8.2.2007 **R.SUBHASH REDDY, J.**

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